

Message Text

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ACTION FBOE-00

INFO OCT-01 ARA-10 ISO-00 A-01 L-03 /015 W

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P 281925Z AUG 75

FM AMEMBASSY BRASILIA

TO SECSTATE WASHDC PRIORITY 1209

UNCLAS BRASILIA 7544

FOR FBO FROM TAYLOR

E. O. 11652: N/A

TAGS: ABLD, BR

SUBJECT: LETTER OF REQUEST FOR TIME EXTENSION

CONSTRUCTION CONTRACT NO 3106-321299 PROPERTY NO 61106-B.

THE FOLLOWING LETTER WAS RECEIVED FROM ENCOL AND IS QUOTED
FOR THE DEPARTMENT'S ACTION:

QUOTE "THE CONTRACTING OFFICER, OFFICE OF FEDERAL
BUILDING OPERATIONS, DEPARTMENT OF STATE.

DEAR SIR:

IN OUR LETTER DATED MAY 4, 1974, WE OFFERED TO TERMINATE THE WORKS
UNDER THE OFFICE BUILDING CONTRACT ON AUGUST 31, 1975, AND WE
QUOTE FROM PAGE 7 OF THE ABOVE MENTIONED LETTER:

"AS A MEANS BOTH TO OFFER COMPENSATION TO THE U.S. GOVERNMENT
AND TO AVOID ADDITIONAL INCREASES IN COSTS AS A RESULT OF
UNFORESEABLE AND EXCEPTIONAL ECONOMIC FACTORS, THE CONTRACTOR
OFFERS TO TERMINATE THE WORKS ON AUGUST 31, 1975, I.E. EIGHT
MONTHS AHEAD OF THE ORIGINAL TERMINATION DATE. AUTHORIZATION
FROM THE U.S. GOVERNMENT FOR THE IMMEDIATE BEGINNING OF THE
SECOND PHASE UNDER THE CONTRACT WOULD BE ESSENTIAL."

SHORTLY AFTERWARDS, WE SENT THE PROJECT SUPERVISOR OUR LETTER
NO 0175/E.A.EUA, DATED MAY 14, 1974, AND SIGNED ON MAY 24,
1974 CHANGE ORDER NO 7, ELIMINATING PHASE 2 AND LEAVING SEPTEMBER
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3, 1975 AS THE CONTRACT COMPLETION DATE.

NEVERTHELESS, AS THE EMBASSY NEVER CEASED ITS ACTIVITIES IN THE OLD BUILDING, IT ALLOWED ONLY PARTIAL AND GRADUAL ACCESS TO IT, AS WELL AS TO THE RIGHT WING OF THE NEW BUILDING. AS A RESULT, IT HAS TO THIS DATE BEEN IMPOSSIBLE FOR THE CONTRACTOR TO TERMINATE THE WORK IN THOSE TWO AREAS.

IT HAS THEREFORE BECOME NECESSARY FOR US TO EXTEND THE CONTRACT COMPLETION DATE TO DECEMBER 3, 1975. IT IS UNDERSTOOD THAT IT REMAINS ESSENTIAL FOR THE CONTRACTOR TO BE ABLE TO ABIDE BY THIS NEW COMPLETION DATE THAT THE EMBASSY MUST TOTALLY AND IN ONE STEP VACATE THE OLD BUILDING AND ALLOW TOTAL ACCESS TO THE RIGHT WING OF THE NEW BUILDING, OR ELSE ACCEPT TO FUNCTION WHILE ALL WORKS PROCEED AT FULL SPEED, NOT LATER THAN OCTOBER 14, 1975, AS A MINIMUM OF SOME 70 DAYS ARE REQUIRED FOR THE EXECUTION OF THE WORKS.

WE SHOULD BEAR IN MIND THAT THE STEP WE TOOK TO ELIMINATE PHASE II AIMED AT AVOIDING ADDITIONAL INCREASES IN COSTS. IF FURTHER TIME EXTENSIONS BECOME NECESSARY IN FUTURE DUE TO THE SAME REASONS, A REVISION OF CONTRACT PRICES UNDER THIS ITEM WILL BECOME UNAVOIDABLE. AS YOU KINDLY RECALL, A REDUCTION OF US\$ 25,705.00 IN THE CONTRACT PRICE WAS ALLOWED UNDER CHANGE ORDER NO 7, AND THE ANTICIPATED BENEFIT THAT SHOULD HAVE RESULTED FROM THE IMMEDIATE EXECUTION OF PHASE II WAS NOT ABSORBED BY THE CONTRACTOR BECAUSE THE EMBASSY COULD NOT ALLOW TOTAL AND IMMEDIATE ACCESS TO THE OLD BUILDING AND TO THE RIGHT WING OF THE NEW BUILDING.

SINCERELY YOURS,
ELIPHIO VIANA DE MACEDO
SITE ENGINEER "UNQUOTE".

COPY OF THIS LETTER ALSO BEING TRANSMITTED BY OPERATIONS
MEMORANDUM.
CRIMMINS

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NNN

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TAGS: ABLD, BR
To: STATE
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